



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

AIKEN II et al.

Serial No.: 10/632,525

Filed: July 31, 2003

Art Unit: 2661

Examiner: [Not yet assigned]

Atty. Docket No.: 02-425-US-P

SYSTEM AND METHOD FOR
WIRELESS REMOTE CONTROL OF
LOCOMOTIVES

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

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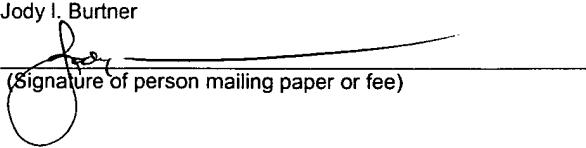
deposited with the United States Postal Service on January 6, 2004, with sufficient postage as first-class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1. Enclosed is PTO Form 1449 (and a duplicate thereof).
2. Items listed on the enclosed Form PTO-1449 are not in the English language.
 - For each of the following items, an English-language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
 - For each of the following items, a concise explanation of that item is incorporated in the specification of the above-identified application:
 - For each of the following items, a corresponding U.S. or other English-language patent is enclosed. Please consider the U.S. or other English-language patents in accordance with the procedure set forth in MPEP § 609:

3. **Submission in Accordance with 37 CFR § 1.98(d).**

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application Serial No. 10/210,777, filed July 31, 2002, of which the present application relies upon for an earlier filing date under 35 U.S.C. 120.

4. **Submission in Accordance with 37 CFR § 1.97(b).**

This Information Disclosure Statement is being filed

- With the application;
- Within three months of the filing date of a national application;
- Within three months of the date of entry of the national stage in an international application; or
- Before the mailing date of a first Office Action on the merits,

and NO FEE is due for consideration of this Information Disclosure Statement.

5. **Submission in Accordance with 37 CFR 1.97(c).**

This Information Disclosure Statement is being filed before the first mailing date of either

- A final action under § 1.113; or
- A notice of allowance under § 1.311.
- A fee is due for consideration of this Information Disclosure Statement and the fee is paid below; or
- This Information Disclosure Statement is accompanied by one of the certifications pursuant to 37 CFR § 1.97(e), and NO FEE is due for consideration of this Information Disclosure Statement.

6. Submission in Accordance with 37 CFR 1.97(d).

This Information Disclosure Statement is being filed after the mailing date of either

- A final action under § 1.113; or
- A notice of allowance under § 1.311,

whichever comes first, but before payment of the issue fee, and is accompanied by

- a. One of the certifications pursuant to 37 CFR § 1.97(e), which is set forth below;
- b. The attached petition requesting consideration of this Information Disclosure Statement; and
- c. The petition fee under 37 CFR § 1.17(i)(1), which is paid below.

7. Certification Pursuant to 37 CFR 1.97(e).

- The undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement; or
- The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

8. Fee Payment Being Made.

Enclosed

\$180.00 fee for submission under 37 CFR § 1.97(c).

\$180.00 fee for submission under 37 CFR § 1.97(d).

A check in the amount of \$[Amount] to cover the fee payment is enclosed.

Charge the fee to Deposit Account No. 18-0582. A duplicate copy of this communication is attached.

The Director is hereby authorized to charge payment of any additional fees associated with this Information Disclosure Statement or credit any overpayment to Deposit Account No. 18-0582. A duplicate copy of this communication is enclosed.

Respectfully submitted,



Paul D. Bangor, Jr.
Reg. No. 34,768

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Attorney for Applicants

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(MODIFIED) U.S. PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SER. NO.

02-425-US-P

10/632,525

APPLICANT

AIKEN, II et al.

FILING DATE

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GROUP

2661

(37 CFR 1.98(b))

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT



U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	Patent Number	Issue Date	Patentee	Class/Subclass	Filing Date
		2,769,601	11/6/56	Hagopian et al.		
		2,961,640	11/22/60	von Behren		
		3,293,549	12/20/66	Patterson		
		3,304,501	2/14/67	Ruthenberg		
		3,530,434	09/22/70	F.H. Stites et al.		
		3,601,605	08/24/71	Elder		
		3,696,758	10/10/72	Godinez, Jr.		
		3,811,112	5/14/74	Hoven et al.		
		4,015,082	03/29/77	Matty et al.		
		4,056,286	11/1/77	Burkett		
		4,087,066	5/2/78	Bähker		
		4,133,504	01/09/79	Dobler et al.		
		4,179,624	12/18/79	Shindo et al.		
		4,179,739	12/18/79	Virnot		
		4,190,220	2/26/80	Hahn et al.		
		4,335,381	6/15/82	Palmer		
		4,370,614	1/25/83	Kawada et al.		
		4,380,050	4/12/83	Tanner		
		4,410,983	10/18/83	Cope		
		4,445,175	04/24/84	Cohen		
		4,456,997	6/26/84	Spitza		
		4,464,659	8/7/84	Bergqvist		
		4,519,002	05/21/85	Amano		
		4,525,011	6/25/85	Wilson		
		4,614,274	9/30/86	LaValle et al.		
		4,768,740	9/6/88	Corrie		
		4,775,116	10/4/88	Klein		
		4,835,537	5/30/89	Manion		
		4,854,529	8/8/89	Osada et al.		
		4,950,964	8/21/90	Evans		
		4,955,304	9/11/90	Spenk et al.		

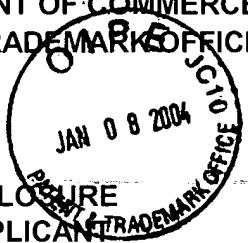
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(37 CFR 1.98(b))



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U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	Patent Number	Issue Date	Patentee	Class/ Subclass	Filing Date
		5,005,014	4/2/91	Jasinski		
		5,012,749	5/7/91	Passage, Jr.		
		5,029,532	7/9/91	Snead		
		5,039,038	08/13/91	Nichols et al.		
		5,109,543	4/28/92	Dissosway et al.		
		5,222,024	6/22/93	Orita et al.		
		5,351,194	9/27/94	Ross et al.		
		5,376,869	12/27/94	Konrad		
		5,412,572	5/2/95	Root et al.		
		5,474,267	12/12/95	Kubota et al.		
		5,479,156	12/26/95	Jones		
		5,511,749	04/30/96	Horst et al.		
		5,685,507	11/11/97	Horst et al.		
		5,714,948	2/3/98	Farmakis et al.		
		6,314,366	11/6/01	Farmakis et al.		

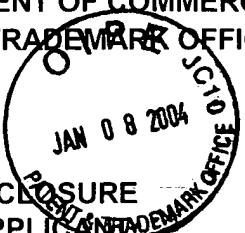
FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Examiner Initial	Cite No.	Document Number	Publication Date	Country or Patent Office	Class/ Subclass	Translation Yes/No
		870.148	09/01/78	Belgium		
		870.149	09/01/78	Belgium		
		894.768	10/21/82	Belgium		
		894.769	10/21/82	Belgium		
		894.853	10/28/82	Belgium		
		2354067	10/29/73	Germany		
		2449660	04/22/76	Germany		
		2756613	06/21/79	Germany		
		3702527	08/11/88	Germany		
		0326630	08/09/89	European		
		2302653	09/24/76	France		
		2192516	01/13/88	United Kingdom		
		00/58142	10/5/00	WO		

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<p>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (MODIFIED) U.S. PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(37 CFR 1.98(b))</p>	ATTY. DOCKET NO.	SER. NO.
	02-425-US-P	10/632,525
	APPLICANT	
	AIKEN, II et al.	
FILING DATE	GROUP	
July 31, 2003	2661	



OTHER DOCUMENTS
(Including Author, Title, Date, Relevant Pages, Place of Publication)

Examiner Initial	Cite No.	
_____	_____	Simmons-Boardman Publishing Corporation, "FCC Grants Petition on Tone Modulation." Railway System Controls, Vol. 3, n. 7, pp. 11-12, 1972.
_____	_____	Escher, R. "Remote Control and Transmission of Data by Radio; Funkfernsteuerung mit Datenuebertragung," Technische Mitteilungen AEG-Telefunken, v. 64, n. 4, pp. 129-131, 1974 (Abstract translation only)
_____	_____	Vandervort, T.L. "PCM Used For Remote Controls." Railway System Controls v. 2, n. 8, p. 20-25, August 1971.
_____	_____	McElhenny, S.W. et al. "Trends in Rail Transportation." 1968 IEEE International Convention, p. 39 (1968).
_____	_____	Fischer, K. "Radio-Telephone for Railroads and Local Traffic." Glasers Ann. v. 94, n. 12, p. 387-393, Dec. 1970 (Abstract translation only)
_____	_____	Nagase, K. "Automation of Locomotive Shunting Operations at Musashino Marshalling Yard." Japanese Railway Engineering v. 17, n. 1 pp. 19-21 (1977)
_____	_____	Grolms, R. et al. "Radio Remote Control of the Hump Locomotives at the Munich (North) Marshalling Yard." Signal and Draht v. 82, n. 12, p. 231-235 (1990) (Article translation included)
_____	_____	"CN Rail's Beltpack Single Man Hump Operation." CN Rail LCS Presentation Sep/92
_____	_____	Aiken II, R.C. "Radio Crane Controls: Factors Involved in Selection and Installation." Catron Incorporated Brochure, 1985
_____	_____	"Remote Control of Slave Locomotives." The Railway Gazette, September 1, 1968

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OTHER DOCUMENTS
(Including Author, Title, Date, Relevant Pages, Place of Publication)

_____	König, H. "Variation der Abdrückgeschwindigkeit bei quasikontinuierlicher Geschwindigkeitssteuerung im Zentralverschiebebahnhof Wien." RT + GT - Rangiertechnik und Glolschlussstechnik 49, pp. 3-6 (1989)
_____	ÖBB Journal Die Fachzeitschrift der Österreichischen Bundesbahnen pp. 28, 32-34, January-February 1987
_____	National Safety Council, "Radio-Remote-Control Locomotives." National Safety Council Data Sheet 1-707-85 (1985)
_____	"Railways; SMET Automatic Control System for Multiple Trains" BBC Summary of World Broadcasts, August 16, 1986
_____	Krauss-Maffei Verkehrstechnik, "K-MEMO für Lok G850BB u. G700C ARBED Funktionsbeschreibung" Produktbereich Fahrzeugelektronik January 18, 1991
_____	Krauss-Maffei Verkehrstechnik, "K-MICRO: Anti-wheelship and anti-wheelskid device, General Description" Product Line Vehicle Electronics, August 27, 1991
_____	"Locomotive Control System LCS-Beltpack" CN Rail LCS BP Presentation, September 1991
_____	Massie, Herbert L. "Channel Utilization by Remote Locomotive Control Systems Using Digital Transmission." 1976 IEEE Convention, p. 134-7 (1976).
_____	Schonenberger, Albert "Speed Control for Shunters." Krauss Maffei Journal, June 1988.
_____	Theimeg USA, Inc., "Canadian National Contract Proposal," p 15-16, February 15, 1991.

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